*Environmental Impact Review Board*

# ANNUAL ACTIVITY REPORT

## 1989 - 1990

Produced in Inuvik
by the Staff
of the
Joint Secretariat

May 1990

# ENVIRONMENTAL IMPACT REVIEW BOARD

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### PERIOD OF REPORT

This report describes the affairs of the Environmental Impact Review Board for the fiscal period April 1, 1989 to March 31, 1990.

### AUTHORITY OF THE ENVIRONMENTAL IMPACT REVIEW BOARD

The Environmental Impact Review Board was established under the terms of the Inuvialuit Final Agreement (IFA) between Canada and the Committee for Original Peoples Entitlement (COPE). The Inuvialuit Final Agreement became law under the Western Arctic (Inuvialuit) Claims Settlement Act [S.C. 32 - 33 Elizabeth II, C.24.], on 28 June, 1984.

### ENVIRONMENTAL IMPACT REVIEW BOARD

This is the third Annual Activity Report of the Environmental Impact Review Board, marking the Board's fourth full year of operation.

As an environmental impact assessment and review body for any development referred to it pursuant to the Inuvialuit Final Agreement, the Environmental Impact Review Board is structured so that both parties to the IFA are represented equally.

The Environmental Impact Review Board is composed of seven appointed Members. Three Members are appointed by Canada, three Members are appointed by the Inuvialuit Game Council, and a Chairman is selected by the Government of Canada with the consent of the Inuvialuit Game Council.

**MEMBERSHIP**

During the period of this report, the following individuals comprised the Environmental Impact Review Board. [The appointing body for each Member is listed in brackets.]

**Chairman:**

James I. Livingstone (appointed by OIC January 5, 1989)

**Members:**

Ewan Cotterill (Government of Canada)

Albert Elias (Inuvialuit Game Council)

Nelson Green (Inuvialuit Game Council)

Ron Livingston (Government of the Northwest Territories)

[Mr. Livingston resigned November 6, 1989]

Calvin Pokiak (Inuvialuit Game Council)

Mel Smith (Government of the Northwest Territories)

[Mr. Smith awaits formal appointment by Order-in-Council]

Mike Stutter (Government of Yukon)

**Secretary:**

Gary Wagner (appointed by Resolution of the Board)

**Legal Counsel:**

Dr. Andrew Thompson Ferguson Gifford, Vancouver

**Technical Consultants:**

William Scott Digger Resources, Calgary

Dr. Rolph Davis LGL Limited, King City

**Auditors:**

Hinchey, Wowk, Williams, Avery and Co. (CGA) - Yellowknife

## CHAIRMAN'S COMMENTS

The activity level of the Environmental Impact Review Board increased substantially during the fiscal year 1989 - 1990. Members of the Board attended the first Yukon North Slope Annual Conference in Dawson City in May, and found it very informative.

During the past year, the Board revised its Operating Procedures. More detail was provided on the format and procedures adopted for the conduct of both the public hearing and public meeting phases of Environmental Impact Review Board public reviews.

The highlight of the year was the Public Review of the Esso Chevron et al Isserk I-15 Drilling Program. As this was the first public review carried out by the Environmental Impact Review Board since it was created in 1984, it was difficult to know what to expect.

On October 24, 1989, a Review Panel consisting of Jim Livingstone, Ewan Cotterill, Calvin Pokiak, Ron Livingston and Nelson Green commenced the Public Review proceedings in Tuktoyaktuk. In only three days the Review Panel heard almost six hundred pages of evidence, yet the Final Report was still put into the hands of the appropriate government authorities by November 1, 1989.

The Environmental Impact Review Board approved the Esso Chevron et al Isserk I-15 Drilling Program without having to go to a full-fledged, formal public hearing. The approval was subject to ten conditions and three major recommendations, all of which were accepted by the Canada Oil and Gas Lands Administration (COGLA) as the appropriate government authority on behalf of the Government of Canada. Attached in Appendix A to this report are copies of letters from the Federal Ministers responsible for COGLA, the Honourable Jake Epp and the Honourable Pierre Cadieux, expressing their appreciation for the manner in which this Public Review was conducted.

One joint workshop involving the Inuvialuit Game Council, the Environmental Impact Screening Committee, and the Environmental Impact Review Board was held in Inuvik to discuss the Environmental Impact Screening and Review Process. From this workshop, guidelines for environmental impact assessment, particularly criteria for screening, were developed for further discussion.

Mr. Ron Livingston, an appointment of the Government of the Northwest Territories, resigned his position on November 9, 1989. His designated replacement is Mr. Mel Smith, who awaits his formal Order-in-Council appointment to the Board.

On March 3, 1990, two development proposals were referred to the Environmental Impact Review Board by the Environmental Impact Screening Committee for further environmental impact review and assessment: Gulf Canada Resources Limited's Kulluk Drilling Program 1990-1992, and Amoco Canada Petroleum Company Ltd.'s 1990 Drilling Program: Beaufort Sea Operations.

Gulf Canada Resources Limited have committed to supplying all of the documentation required in order for the Board to carry out a public review in accordance with the Operating Procedures. This Kulluk Drilling Program 1990-1992 Public Review is scheduled to commence on June 4, 1990, in Inuvik.

Amoco Canada Petroleum Company Ltd. decided to withdraw their 1990 Drilling Program: Beaufort Sea Operations proposal from the public review process.

The Chairman would like to express his appreciation to the staff of the Joint Secretariat for the excellent support the Board has received. Their efforts in preparing and supporting the Review Panel for the Esso Chevron et al Isserk I-15 Public Review were outstanding.

Special thanks should go to the various government agencies and officials who assisted the Environmental Impact Review Board and its staff during the past year. It is hoped that the spirit of cooperation established in 1989 - 1990 will be carried on into the future, as the Environmental Impact Review Board moves ahead into the 1990s.

I am pleased to present this Annual Activity Report 1989 - 1990 on behalf of the Environmental Impact Review Board.

J. I. Livingstone

James I. Livingstone
Chairman

## OPERATING GUIDELINES AND PROCEDURES

Those persons interested in obtaining a copy of the Environmental Impact Review Board's Operating Procedures, completed in September, 1989, or those individuals or organizations having questions relating to the work of the Review Board, can write to:

Secretary
Environmental Impact Review Board
P.O. Box 2120
Inuvik, Northwest Territories
CANADA X0E 0T0

## ADMINISTRATION OF THE BOARD

The Environmental Impact Review Board receives administrative and technical support from the Joint Secretariat in Inuvik. The Joint Secretariat also supports several other renewable resource organizations involved in joint resource management under the Inuvialuit Final Agreement.

The Chairmen of each of the joint management bodies sit on the Board of Directors of the Joint Secretariat.

The Chairmen of the Environmental Impact Screening Committee and the Environmental Impact Review Board have identified a pressing need for more staff to support the Environmental Impact Screening and Review Process. The current concept is for a "stand alone" unit within the Joint Secretariat dedicated to supporting both organizations. The feasibility of this concept is currently being investigated with an eye towards implementing the reorganization over the next two fiscal years.

The Environmental Impact Review Board and Environmental Impact Screening Committee share one individual who performs the duties of Secretary to both organizations, as well as additional tasks under the title of Resource Person - Environment for the Joint Secretariat. During the period of this report, the Environmental Impact Screening and Review Process also shared the services of one Resource Person Assistant with the Fisheries Joint Management Committee.

The Joint Secretariat provides office services and financial administration support.

## OPERATIONS

During the period of this report, the Review Board held four two-day meetings, one of which was in conjunction with the Yukon North Slope Annual Conference in Dawson City, Yukon.

The administrative changes proposed to streamline Section 11 of the Inuvialuit Final Agreement were agreed to by the Inuvialuit Game Council, DIAND, the Environmental Impact Screening Committee, and the Environmental Impact Review Board last year. Implementation of those changes is still awaiting formal amendment of the IFA by the Government of Canada.

## REFERRALS

On March 3, 1990, two development proposals were referred to the Environmental Impact Review Board by the Environmental Impact Screening Committee for further environmental impact review and assessment: Gulf Canada Resources Limited's Kulluk Drilling Program 1990-1992, and Amoco Canada Petroleum Company Ltd.'s 1990 Drilling Program: Beaufort Sea Operations.

A Public Review of the Kulluk Drilling Program 1990-1992 proposal is scheduled to commence in Inuvik on June 4, 1990.

Amoco Canada Petroleum Company Ltd. decided to withdraw their proposal from the public review process.

## PUBLIC REVIEWS

The Environmental Impact Review Board conducted its first Public Review from October 24 to 26, 1989, in Tuktoyaktuk. The Public Meeting format was selected as appropriate to the circumstances. All of the Participants were caught up in a spirit of cooperation demonstrated throughout the proceedings, even though the issues and the consequences were of tremendous significance to all.

For more detail on the Esso Chevron et al Isserk I-15 Public Review, please refer to the Final Report available from the Secretary to the Board.

## FINANCES

Funding for the Environmental Impact Review Board is accomplished through Contribution Agreements with the Department of Indian Affairs and Northern Development (DIAND), and the Government of the Northwest Territories (GNWT).

The time and expenses of the Member that the Government of Yukon designates are paid for from special funds provided for that purpose. The Government of Yukon also supports a Yukon Secretariat in Whitehorse that provides services similar to those supplied by the Joint Secretariat in Inuvik.

An unaudited summary of the finances of the Environmental Impact Review Board is attached as Appendix B.

# APPENDIX A

## Environmental Impact Review Board

## Annual Activity Report

## 1989 - 1990

## Letters of Appreciation

Minister
of Energy, Mines and Resources

CANADA

Ministre
de l'Énergie, des Mines et des Ressources

DEC 5 1989

RECEIVED DEC 2 0 1989

Mr. J.I. Livingstone
Chairman
Environmental Impact Review Board
P.O. Box 2120
INUVIK, N.W.T.
X0E 0T0

Dear Mr. Livingstone:

Thank you for your letter of November 1, 1989 and the attached report on the Public Review of the Esso Chevron et al Isserk I-15 Drilling Program.

I understand that officials in the Canada Oil and Gas Lands Administration (COGLA) considered the conditions and recommendations contained in the report, found them acceptable and have incorporated them into conditions governing the Drilling Program Approval of the Isserk I-15 program.

In addition, the Board's General Observations contain many useful suggestions which COGLA is now considering, in consultation with other appropriate parties, and will be pursuing in the near future.

Please accept my congratulations for completing the public review in such an efficient and effective manner, and my appreciation for bringing the Board's conclusions to my personal attention.

Yours sincerely,

Jake Epp

Canada Canada 91A 0E3

Ministre des Affaires
indiennes et du Nord canadien

CANADA

Minister of Indian Affairs
and Northern Development

JAN 22 1990 RECEIVED JAN 25 1990

Mr. James I. Livingstone
Chairman
Environmental Impact Review Board
P.O. Box 2120
INUVIK, Northwest Territories
X0E 0T0

Dear Mr. Livingstone:

Thank you for your letter of November 1, 1989 concerning the Esso Chevron et al Isserk I-15 drilling program.

The board's report of November 1, 1989 is accepted. The recommendations of your board respecting the Esso Chevron et al Isserk I-15 drilling program have been incorporated into the approvals for this activity. I have found the board's general observations to be most interesting. Some of the observations will be dealt with immediately, others will require further consideration. Those observations will be particularly useful in the planning and approving of future activities and will form the background for greater industry and northern co-operation.

.../2

The recommendations respecting wildlife harvest liabilities will be implemented. Mr. G.E. Bangay, Acting Director General, Natural Resources and Economic Development Branch, will be working with the Inuvialuit and industry to organize meetings to discuss all aspects of the compensation and financial responsibility provisions of the Inuvialuit Final Agreement.

You and your panel are to be congratulated on a job well done.

Sincerely,

Pierre H. Cadieux

c.c.: The Honourable Benoît Bouchard, P.C., M.P.

**APPENDIX B**

**Environmental Impact Review Board**

**Annual Activity Report**

**1989 - 1990**

**Financial Summary**

UNAUDITED STATEMENT OF EXPENDITURE
DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS
ENVIRONMENTAL IMPACT REVIEW BOARD

For the Year Ended March 31, 1990

| | |
|---|---|
| CHAIRMAN | |
| Honoraria | 15,895.75 |
| Travel/Accommodation | 10,089.63 |
| General Office | 1,426.63 |
| Telephone & Fax | 752.38 |
| Canada Member | 9,913.15 |
| TOTAL | 38,077.54 |
| | |
| INUVIALUIT | |
| Honoraria | 2,102.25 |
| Per Diem | 825.00 |
| Travel/Accommodation | 2,993.95 |
| TOTAL | 5,921.20 |
| | |
| ADMINISTRATION | |
| Salaries | 27,042.72 |
| Staff Development | 1,977.63 |
| General Office | 4,440.64 |
| Telephone & Fax | 3,495.19 |
| Rent | 7,500.00 |
| Janitorial | 1,210.00 |
| Travel/Accommodation | 6,808.28 |
| TOTAL | 52,474.46 |
| | |
| TOTAL EXPENDITURES | 96,473.20 |